

## **Alameda Rent Stabilization FAQ**

### ***Updated August 7, 2017***

Rent and eviction matters are currently governed by Ordinance 3148 (Rent Review, Rent Stabilization and Limitations on Evictions Ordinance), which was adopted by the City Council in March 2016, and approved by the voters as Measure L1 in November 2016.

On June 6, 2017, the Alameda City Council adopted Ordinance 3180 which would have amended Ordinance 3148 by: (1) eliminating “no cause” as a ground for eviction; and (2) requiring that if a tenant has a “fixed term” lease and that fixed term lease was renewed, the tenant is entitled to relocation payments if the tenant vacates at the end of the subsequent term.

A referendum petition with 7,295 signatures was submitted to the Alameda City Clerk on June 26, 2017, and on July 17, 2017, the Registrar of Voters certified that, based on a random sampling technique provided for under the Elections Code, the number of valid signatures on the petition was 129.88 percent of the total number of signatures needed to qualify the referendum for the ballot.

**What happens next?** On September 5, 2017, the City Council will take action in light of the certification from the Registrar of Voters. The City Council must either (1) repeal Ordinance 3180, or (2) place the matter before Alameda voters at a special or regularly scheduled election.

### **Frequently Asked Questions**

#### **1. What happens to Ordinance 3180 now that the referendum petition has qualified?**

Answer: The amendments to Ordinance 3148 contained in Ordinance 3180 are suspended, including the amendment to Ordinance 3148 that would have eliminated “no cause” evictions.

#### **2. What happens if Ordinance 3180 is repealed by the City Council?**

Answer: If Ordinance 3180 is repealed, the amendments to Ordinance 3148 are set aside. In addition, the same or substantially same amendments cannot be enacted for a period of one year after repeal.

#### **3. What happens if Ordinance 3180 is submitted to voters at a future election?**

Answer: If the Council decides to submit the ordinance to voters at a future election, it must 1) decide the election date, and 2) approve the ballot question and determine its interest in authoring a ballot argument in favor or against the measure. If the

measure passes, Ordinance 3180 becomes effective immediately. If the measure fails, Ordinance 3148 remains in effect without amendment. Moreover, if the measure fails, the City Council would be prohibited from adopting another amendment to Ordinance 3148 that is essentially the same as the failed Ordinance 3180 for one year after the election.

**4. Where can I read the text of Ordinance 3148?**

Answer: Ordinance 3148 can be viewed electronically using this link: [https://library.municode.com/ca/alameda/codes/code\\_of\\_ordinances?nodeId=CHVIBUOCIN\\_ARTXVRESTLIEVOR\\_6-58.10TI](https://library.municode.com/ca/alameda/codes/code_of_ordinances?nodeId=CHVIBUOCIN_ARTXVRESTLIEVOR_6-58.10TI)

Alternatively, you can obtain a hard copy by visiting the City Clerk's Office at City Hall: 2263 Santa Clara Avenue, #380, Alameda, CA 94501.

**5. Where can I read the text of Ordinance 3180?**

Answer: Ordinance 3180 can be viewed electronically using this link: <http://docs.ci.alameda.ca.us/WebLink8/0/doc/456207/Page1.aspx>

Alternatively, you can obtain a hard copy by visiting the City Clerk's Office at City Hall: 2263 Santa Clara Avenue, #380, Alameda, CA 94501.

**6. What is the new charter amendment initiative measure that proponents of the initiative are seeking to qualify for the ballot?**

Answer: Proponents of "A Proposed City of Alameda Charter Amendment Making the 'City of Alameda Rent Review, Rent Stabilization and Limitations of Evictions Ordinance' a Part of the Alameda City Charter" are currently gathering signatures to qualify the initiative for the ballot. The proposed measure reconstitutes Ordinance 3148 as a charter amendment with two changes. It would: (1) eliminate the Alameda City Council's authority to amend Ordinance 3148, and (2) eliminate the December 31, 2019 sunset provision. If the measure were to pass, Ordinance 3148 would become a charter provision (without the amendments in Ordinance 3180, which is also the subject of referendum campaign) until the voters take action to modify or repeal it.

**7. What happens if the charter amendment initiative also qualifies for the same ballot as the referendum measure?**

Answer: If both measures qualify and the City Council calls for an election at which both measures would be on the same ballot, voters would be presented with both ballot measures.

**8. How much time do the proponents of the charter amendment initiative have to gather signatures?**

Answer: 180 days from when the proponents received the title and summary, which was on July 13, 2017.

**9. How many signatures does it take for a ballot measure to qualify?**

Answer: A referendum petition requires the signatures of 10 percent of the qualified registered City of Alameda voters, which was 4,808 signatures, whereas an initiative petition to amend the City Charter requires 15 percent of the signatures of qualified registered City of Alameda voters, which is 7,211 signatures.

**10. If the referendum has enough signatures to qualify and the City Council calls for an election, will Alameda taxpayers have to pay for an election?**

Answer: Yes, the cost of an election would be incurred by the City of Alameda.

**11. Do signature gatherers have to be residents of Alameda?**

Answer: No.

**12. It is legal for signature gatherers to be paid?**

Answer: Yes.

**13. There have been allegations of misrepresentation by signature gatherers and intimidation tactics in attempts to gather or prevent signatures. What can I do about that?**

Answer: The referendum and initiative signature gathering and election process is a fundamental element of democracy and protected as free speech. If you believe signature gatherers are misrepresenting an issue, a complaint can be filed with the Alameda County District Attorney's Office. If someone is attempting to intimidate you into signing or not signing an initiative or referendum petition or obstructing your ability to participate in the democratic process, you should call the Alameda Police Department, as such activity could constitute a crime.

**14. Who can I contact for additional information?**

- For general assistance with Alameda's rent program, please contact the Housing Authority at 510-747-4346 or visit [www.alamedarentprogram.org](http://www.alamedarentprogram.org).
- For legal issues, please contact the City Attorney's office at 510-747-4750.

- For assistance with the newly established residential rental housing fee, please contact the Finance Department at 510-747-4881.

## **Previously Published FAQs**

### **Frequently Asked Questions**

**1. What happens if the referendum does not get enough signatures to qualify?**

Answer: Ordinance 3180 will go into effect.

**2. What happens if the referendum qualifies and voters do not support Ordinance 3180?**

Answer: Ordinance 3148 (Measure L1 on the November 2016 ballot) remains in effect without amendment. The City Council would be prohibited from adopting another amendment to Ordinance 3148 addressing the same subject matter as the failed Ordinance 3180 for one year after the referendum election.

**3. What happens if the referendum qualifies and the voters support Ordinance 3180?**

Answer: Ordinance 3180 becomes effective immediately after the vote is certified by the City Council.